

**IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF OKLAHOMA**

TAYLOR BURKE, as the Personal	)	
Representative of the estate of	)	
THOMAS GAY, deceased,	)	
	)	
Plaintiff,	)	
	)	
v.	)	Case No.: 20-CV- 244 JED-CDL
	)	
CITY OF BARTLESVILLE, JESSICA	)	
PITTS, AND WILLIAM LEWIS,	)	
	)	
Defendants.	)	

**APPLICATION FOR WRIT OF ASSISTANCE**

COME NOW, Defendants City of Bartlesville, Jessica Pitts, and William Lewis, and hereby request that this Court issue an Order authorizing and directing the Office of the Chief Medical Examiner, State of Oklahoma, to release and deliver to counsel for Plaintiff and Defendants, and permit inspection and copying of all documents in the Medical Examiner Case File, including but not limited to an allocation of the tissue and blood samples, recuts of the microscopic slides, and photographs if applicable concerning the death of Thomas Goodeyes Gay, with date of birth 8/6/1983, collected following his death on the 1<sup>st</sup> day of June, 2019, in Bartlesville, Oklahoma, located in Washington County.

Applicants represent to the Court that the autopsy and the medical examiner's report have been completed and these samples are necessary for discovery into this matter and without the requested order, remaining specimens may otherwise be discarded pursuant to the standard policies and procedures of the Office of the Chief Medical Examiner.

Counsel for the Chief Medical Examiner, Assistant Attorney General John M. Crittenden, Office of the Attorney General, has been contacted about this matter, and has no objection to the release of these blood samples, specimens, etc., provided there is a Court Order directing such release as required by 63 O.S. 2011, §§ 939 and/or 949.

WHEREFORE, Applicants request that this Court enter its Order directing the Office of the Chief Medical Examiner to produce and permit inspection and copying of all documents in the Medical Examiner Case File, including but not limited to an allocation of the tissue and blood samples, recuts of the microscopic slides, and photographs if applicable concerning the decedent Thomas Goodeyes Gay. Such materials should be released to the counsel for Defendants on or before fourteen (14) business days after receipt by the Office of Chief Medical Examiner of a certified copy of the Order.

Dated: January 20, 2021

Respectfully Submitted,

/s/ Scott B. Wood

Scott B. Wood, OBA 12536

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**Attorneys for City of Bartlesville,**

**Jessica Pitts and William Lewis**

**CERTIFICATE OF SERVICE**

This is to certify that on January 20, 2021, I electronically transmitted the foregoing document to the Clerk of Court using the ECF System for filing and transmittal of a Notice of Electronic Filing to the following ECF registrants:

Donald E. Smolen  
Laura L. Hamilton  
John W. Warren

/s/ Scott B. Wood